



ATTORNEY DOCKET: 40526.01001
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephen B. Maguire

Group Art Unit: 1723

Serial No: 08/989,352

Examiner:
Charles E. Cooley

Filed: 12 December 1997

For: REDUCED SIZE GRAVIMETRIC BLENDER

Charles N. Quinn
Reg. No. 27,223
Customer No. 34,661
Fox Rothschild LLP
2000 Market Street, 10th Floor
Philadelphia, PA 19103
Tel: 215-299-2135
Fax: 215-299-2150
Email: cquinn@foxrothschild.com
Deposit Account: 50-1943

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is submitted in response to a official action bearing a mailing date of 6 April 2004 in which the examiner noted that claims 54 through 58 were drawn to an invention which was non-elected with traverse and required cancellation of the non-elected claims or other appropriate action and further noted that the subject matter of these claims was presented in divisional application 10/191,976.

In the official action the examiner further noted that the information disclosure statement submitted 8 July 2003 had been considered but that the information disclosure statement submitted 14 July 2003 had not been considered as a result of such information

disclosure statement not including a 1449 form. Applicant respectfully notes that the 1449 form was dispatched with the information disclosure statement but must have become separated therefrom before the information disclosure statement reached the examiner's desk. Accordingly, a new copy of the 14 July 2003 information disclosure statement is attached hereto including the 1449 form. Consideration of the 14 July 2003 information disclosure statement is respectfully solicited.

In the official action the examiner further noted that the proposed drawing corrections filed 4 April 2001 had been approved.

In the official action the examiner made some objections to the specification based on two minor typographical errors and the need for updating of the status of serial number 08/763,053.

The examiner further objected to claim 22 as lacking punctuation.

The examiner further rejected certain of the claims under 35 USC 112 as allegedly lacking antecedent basis, having punctuation errors and the like. The claims have been amended to obviate these objections.

The examiner also raised statutory and double patenting rejections of some of the claims; those double patenting rejections have been addressed by amending certain of the claims and by submission of a terminal disclaimer.

In light of the number of issues outstanding respecting this application, there is submitted herewith a request for continued prosecution of this application together with the requisite fee.

Applicant respectfully solicits careful consideration of the amendments to the specification and claims as set forth herein below, the new claim submitted herewith, the

remarks in support of patentability which follows those amendments and the materials submitted herewith, namely the complete copy of the information disclosure statement filed 14 July 2003, the terminal disclaimer and the request for continued prosecution of this application.